

REMARKS

Claims 1-20 are pending in the present application. Claims 1, 2, 4-6, and 8-19 have been rejected under 35 U.S.C. § 120 as being anticipated by Sheffield (T10/03-27r0 SAS-1.1 Support for SATA Port Selector). Claims 3, 7, and 20 have been rejected under 35 U.S.C. § 103 as being obvious over Sheffield in view of Elliot (Serial Attached SCSI Link Layer - part 2). Claim 1 has been amended herein.

A. Sheffield and Elliot are Not Prior Art

Both Sheffield and Elliot are not prior art to the claims of the pending application. Under Section 102(a), a printed publication qualifies as prior art if it the printed publication has a date that is earlier than the date of invention. Each of Sheffield and Elliot are not prior art because the present invention has a conception date before the publication date of each. The date of Sheffield is August 8, 2003 and the date of Elliot is September 30, 2003. The invention date of the present application is earlier than both of these dates.

Attached as Exhibits 1 and 2 are the declarations of Dale Duty, Senior Patent Paralegal at Dell Inc. and Roger Fulghum, the undersigned lawyer responsible for the preparation and prosecution of the present application. Mr. Duty's declaration establishes that inventor John Loffink submitted his invention disclosure to Dell on June 30, 2003 and that Dell submitted the invention disclosure to outside counsel on August 1, 2003. (Exhibit 1, Par. 3). Mr. Fulghum's declaration establishes that an invention was prepared on the basis of Mr. Loffink's invention disclosure and filed as the present application. Thus, the invention of the present application was made before the effective dates of Sheffield and Elliot. In addition, the short period of time between the submission of the invention disclosure to Baker Botts and the

filing of the application demonstrates that all involved parties were diligent in filing the patent application with the U.S. Patent and Trademark Office on November 13, 2003. As such, because each of Sheffield and Elliot are not prior art to the present application, the rejections of the claims on the basis of Sheffield and Elliot should be withdrawn.

B. Sheffield Does Not Anticipate

Furthermore, Sheffield does not anticipate the present invention. The present invention, as defined in amended independent claim 1, and independent claims 9 and 14, includes a bridge device that is coupled between each serial ATA drive of the network and the other elements of the storage network. The bridge device translates data between the Serial Attached SCSI protocol and the Serial ATA protocol.

Sheffield, on the other hand, discloses the applicability of a SATA port selector in the attachment of SATA devices in a SAS domain in order to provide path fail-over capability. (Sheffield, page 1.) In particular, the proposal in Sheffield is directed to identifying “modifications to the SAS OOB sequence to provide detection of a SATA port selector attached behind a STP/SATA bridge in an expander device and defin[ing] extensions to SMP protocol to allow an STP initiator to discover and control the port selector.” Sheffield clearly states that “[t]he SATA port selector is defined in SATA-II to provide a means for a *SATA host* to access a *SATA device*.” Therefore, it is clear that the port selector in Sheffield does not translate serial data in Serial attached SCSI protocol to serial data in the Serial ATA protocol as recited in amended independent claim 1 and independent claims 9 and 14 of the present application.

A rejection under Section 102 requires that each element of the rejected claim or claims be disclosed in a single prior art reference. Here, Sheffield does not disclose each element of the rejected independent claims. Specifically, because Sheffield does not disclose a

bridge device that translates data between the Serial Attached SCSI protocol and the Serial ATA protocol, Sheffield cannot serve as the basis for an anticipation rejection of the independent claims of the present application. The rejection of claims 1, 9, and 14 on anticipation grounds should be withdrawn and these claims should be passed to issuance.

C. Dependent Claims 1-8, 10-13, and 15-20

Dependent claims 1-8, 10-13, and 15-20 will not be discussed individually herein, as each of these claims depends, either directly or indirectly, from an otherwise allowable base claim. Accordingly, these dependent claims are also in condition for allowance for at least the same reasons.

Conclusion

The applicant respectfully submits that the pending claims 1-20 of the present invention, as amended, are allowable. The applicant respectfully requests that the rejection of the pending claims be withdrawn and that these claims be passed to issuance.

Respectfully submitted,



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